

10/31/01  
JCS  
U.S. PTO

07-16-01

J1011 U.S. PTO  
09/905647  
07/13/01

## IN THE UNITED STATES PATENT AND TRADEMARK

Box New Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Attorney's Docket No.: 60170-300301

### FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of : Peter J. Welter, John R. Meier, and Dennis Gardner

For: **"METHOD AND SYSTEM FOR CREATING DYNAMIC WEB TRANSACTION TESTS"**

### ENCLOSURES

- 39 pages of application including specification, claims and abstract;
- 38 sheets (Figs.1-20) of  informal drawings;
- A Declaration, Power of Attorney & Petition ( signed/ unsigned);
- A postcard for return to us as proof of receipt of the referenced documents.  
**and**
- An Assignment of the invention with an assignment cover sheet;
- Applicant claims small entity status (Under 37 CFR 1.27);
- IDS (form PTO-1449) and copies of references;
- An Associate Power of Attorney;
- A Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i);

### TYPE OF FILING

- This application claims the benefit of an earlier filed U.S. Patent Application No. 09/651,833, filed on August 30, 2000, which is a continuation of U.S. Application No. 09/170,130, filed on October 12, 1998, matured into U.S. Patent No. 6,138,157 (35 USC 120).
- This application claims the benefit of the priority date of earlier filed Provisional Patent Application No. 60/221,832, filed on July 28, 2000 (35 USC 119).
- This is an application filed pursuant to 37 CFR 1.53, permitting receipt of a filing date upon filing of specification, claims and drawings, if required, with applicant being given a period of one month from the date of notice to file the fee and oath or declaration.
- In the event any parts of this application are missing, please treat this as a filing under 37 CFR 1.53 as defined just above.

#### CERTIFICATE OF MAILING (37 CFR 1.10(A))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U. S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EL745055241US addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on July 13, 2001 by Sharyl Brown.

Date: July 13, 2001

## FEE PAYMENT

NO FEE IS ENCLOSED.  
 Please charge Account No. 02-3964 the sum of \$ \_\_\_\_\_

## FEE DEFICIENCY

Please charge Account No. 02-3964 in the sum of \$ \_\_\_\_\_  
 The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. 02-3964:  
     Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.  
     Assignment Recordal fees.  
 The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 02-3964.  
 A duplicate copy of this sheet is enclosed.

Dated: July 13, 2001

Respectfully submitted,



---

Paul L. Hickman, Reg. No. 28,516

OPPENHEIMER WOLFF & DONNELLY LLP  
Customer No. 25696  
1400 Page Mill Road  
Palo Alto, CA 94304  
(650) 320-4000

First Named Inventor: Peter J. Welter

Title: METHOD AND SYSTEM FOR CREATING DYNAMIC WEB TRANSACTION TESTS

Attorney Docket No. 60170-300301

**Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7-13-01

Date



Signature

Paul L. Hickman  
Reg. No. 28,516

The request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).